



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman

Appln. No.: 10/037,236

Confirm. No.: 6669

Filed: November 9, 2001

Title: INTER-SPINOUS PROCESS IMPLANT AND  
METHOD OF DEFLATABLE SPACER

PATENT APPLICATION

Art Unit: 3731

Examiner: Reip, David Owen

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **MAIL STOP AMENDMENT Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on 11/23/04

(Attorney Signature)

Sheldon R. Meyer, Reg. No. 27,660

Signature Date: 11/23/04

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Office Action dated 09/23/2004, a shortened period for response was set to expire on 10/23/04

Pursuant to 37 C.F.R. §1.136(a), Applicant(s) hereby petition(s) the Commissioner for an extension of time for responding to the Office Action up to and including 11/23/2004.

✓ Applicant(s) hereby claim small entity status under 37 C.F.R. § 1.27.

11/30/2004 MAHMED1 00000009 10037236

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55.00 OP

The amount of the petition fee set by 37 C.F.R. §1.17 is determined as follows:

Fee (Large Entity/Small Entity)	Extended Month
<input checked="" type="checkbox"/> \$ 110.00/\$ 55.00	First
<input type="checkbox"/> \$ 430.00/\$215.00	Second
<input type="checkbox"/> \$ 980.00/\$490.00	Third
<input type="checkbox"/> \$1,530.00/\$765.00	Fourth
<input type="checkbox"/> \$2,080.00/\$1,040.00	Fifth

TOTAL PETITION FEE \$55.00\_\_\_\_\_

The TOTAL PETITION FEE is included with the payment of other papers filed together with this petition.

The other papers enclosed or associated with this communication include:

- \_\_\_\_\_ A reply to the Office Action was previously filed on \_\_\_\_\_.
- ☒ A reply to the Office Action is filed herewith.
- \_\_\_\_\_ A reply will be filed subsequently.
- \_\_\_\_\_ A continuation application is filed herewith.
- \_\_\_\_\_ A divisional application is filed herewith.
- \_\_\_\_\_ A continuation-in-part application is filed herewith.
- \_\_\_\_\_ A continued prosecution application is filed herewith.
- \_\_\_\_\_ A Request for Continued Examination is filed herewith.
- ☒ "Small Entity" status for this application has previously been established.
- \_\_\_\_\_ Other: \_\_\_\_\_.

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit  
Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: \_\_\_\_\_

11/23/04

By: \_\_\_\_\_

Sheldon R. Meyer  
Reg. No. 27,660

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